

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

2006 NOV -1 P 3:24

U.S. DISTRICT COURT
EASTERN DIST. TENN.

BY _____ DEPT. CLERK

RUSTIN G. JACKSON,

Plaintiff,

v.

No. 3:04-CV-344

CAMPBELL COUNTY, TENNESSEE,

DARRYL MONGAR, and DUSTIN

ROSE

Defendants.

Verdict Form

We, the jury in the above titled action, unanimously find based on a preponderance of the evidence as follows:

Defendant Mongar

1. Do you find that defendant Mongar intentionally committed acts that violated the plaintiff's federal constitutional right not to be subjected to excessive force during an arrest?

Yes ____

No X

2. Do you find that defendant Mongar intentionally committed acts that violated the plaintiff's federal constitutional right not to be arrested without probable cause?

Yes ____

No X

If you answered "Yes" to either Question No. 1 or Question No. 2, then answer Question No. 3. If you answered "No" to both Question No. 1 and Question No. 2, skip Question No. 3 and go on to Question No. 4.

3. Do you find that defendant Mongar's acts were the proximate or legal cause of damages sustained by plaintiff?

Yes ____

No ____

Defendant Rose

4. Do you find that defendant Rose intentionally committed acts that violated the plaintiff's federal constitutional right not to be subjected to excessive force during an arrest?

Yes ____

No X

5. Do you find that defendant Rose intentionally committed acts that violated the plaintiff's federal constitutional right not to be arrested without probable cause?

Yes ____

No X

If you answered "Yes" to either Question No. 4 or Question No. 5, then answer Question No. 6. If you answered "No" to both Question No. 4 and Question No. 5, skip Question No. 6 and go on to Question No. 7.

6. Do you find that defendant Rose's acts were the proximate or legal cause of damages sustained by plaintiff?

Yes ____

No ____

Defendant Campbell County

7. Do you find that defendant Campbell County intentionally committed acts that violated plaintiff's constitutional right not to be deliberately denied medical care for a serious medical need while incarcerated?

Yes ____

No X

8. Do you find that defendant Campbell County intentionally committed acts that violated plaintiff's constitutional right not to be subjected to excessive force while incarcerated?

Yes ____

No X

If you answered "Yes" to either Question No. 7 or Question No. 8, then answer Question No. 9 and Question No. 10. If you answered "No" to both Question No. 7 and Question No. 8, skip Question No. 9 and Question No. 10 and go on to the Damages section.

9. Do you find that Campbell County's acts were done pursuant to a governmental custom, policy, ordinance, regulation or decision?

Yes ____

No ____

10. Do you find that defendant Campbell County's acts were the proximate or legal cause of damages sustained by the plaintiff?

Yes ____

No ____

Damages

*If you found above that (a) any of the defendants committed acts that violated plaintiff's constitutional rights **and** (b) those acts were the proximate or legal cause of damages sustained by the plaintiff, answer the remaining questions. If you did not, go to the end of the form and have the Jury Foreperson sign it.*

11. Do you find that the plaintiff should be awarded damages to compensate for physical as well as emotional pain and mental anguish?

Yes ____

No ____

If your answer is "Yes," in what amount, if any? _____

12. Do you find that the plaintiff should be awarded damages to compensate for reasonable medical care?

Yes ____

No ____

If your answer is "Yes," in what amount, if any? \$ _____

13. Do you find that the plaintiff should be awarded damages to compensate for lost wages and/or salary?

Yes ____

No ____

If your answer is "Yes," in what amount, if any? \$_____

14. Do you find that defendants Mongar, Rose and/or Campbell County acted with malice or reckless indifference to plaintiff's federally protected rights and that punitive damages should be assessed against any or all of the defendants?

Yes ____

No ____

If your answer is "Yes," in what amount? \$_____

11-1-06
Date